

West Virginia Department of Agriculture

Kent A. Leonhardt, Commissioner
Joseph L. Hatton, Deputy Commissioner



MEMORANDUM

TO: Mac Warner, Secretary of State
FROM: Kent Leonhardt, Commissioner of Agriculture
DATE: January 12, 0222
RE: Suspension of 61CSR33 Rural Rehabilitation Program

FILED
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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

On March 16, 2020, the Governor issued a proclamation declaring a state of emergency in response to the public health risks posed by the coronavirus epidemic in West Virginia which proclamation "delegates to all state agencies the ability to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency" pursuant to the Governor's authority set forth in W. Va. Code §15-5-6(c)(7).

On April 30, 2020 during a state of emergency declared by Governor Justice, 61 C.S.R. 33 Rural Rehabilitation Loan Program, suspended provisions of the following:

W. Va. §C.S.R. 61-33-9. Delinquencies and Collection Proceedings. Sets forth collection proceedings for delinquent loans.

W. Va. §C.S.R. 61-33-10. Refinancing. Requires a 5-year waiting period before refinancing any loan.

W. Va. §C.S.R. 61-33-14. Determination of Distressed Loans. Details specific procedural requirements for borrowers desiring to restructure their loans. Requires the Commissioner the opportunity to personally appear before the loan committee.

W. Va. §C.S.R. 61-33-15. Consideration of Applications for Restructuring. Sets forth criteria for borrowers that do not take into consideration the current pandemic.

This suspension is no longer needed, and I am therefore lifting this suspension regarding, 61 C.S.R. 33 Rural Rehabilitation Loan Program. Thank you for your attention to this matter.

mailing address: 1900 Kanawha Blvd. East, Charleston, WV 25305-0170

physical address: 217 Gus R. Douglass Lane, Charleston, WV 25312

telephone: 304-558-3550 • fax: 304-558-2203

www.agriculture.wv.gov